GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services- Health Medical & Family Welfare Department –Smt Md.Rajiya Begum, MPHA(F) PHC,Borramapalem, West Godavari District (now retired) secured appointment as MPHA (F) during September 1992 by claiming her date of birth as 05.04.1958 instead of 05.04.1955- Departmental action initiated– Punishment of 100% cut in pension permanently and withholding of entire Gratuity –Imposed- Orders- Issued.

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HEALTH, MEDICAL AND FAMILY WELFARE (VC.1) DEPARTMENT

G.O.MS.No. 71 Dated: 06-06-2018

Read the following:-

1.From the Commissioner of Health & Family Welfare,AP, Lr.Rc.No.EC-188/FW-E1/2015, Dated;20.05.2016.
2.Govt.Memo.No.268960/VC.1(2)/2016, Dated:22-09-2016.
3. From the Spl.Commissioner of Health & Family Welfare,AP, Lr.Rc. No.EC-188/FW-E1/2015, Dated:21.05.2017.
4. Govt.Memo.No.268960/VC.1(2)/2016, Dated:19-12-2017.
5. From the Commissioner of Health & Family Welfare,AP, Lr.Rc.No.EC-188/FW-E1/2015, Dated:27.03.2018.
6. Govt.letter No.268960/VC1(2)/2016, Dated:20-4-2018.
7. From the Secretary, APPSC, Lr.No.285/DC&C/2018, Dated:08-05-2018.

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ORDER;

In the reference 1st read above, the Commissioner of Health & Family Welfare, A.P, Vijayawada has informed that the District Medical &Health Officer,West Godavari District, Eluru has informed that Smt.Rajia Begum, MPHA (F), S/c Taduval of PHC Borramapalem, West Godavari District has secured appointment as MPHA (Female) during September 1992 by claiming her date of birth as 05.04.1958. He has received a complaint against the above MPHA (F) from Sri Mahammad Shajahan Baig that Smt. Md. Rajia Begum has secured irregular appointment by claiming the date of birth as 05.04.1958 instead of 05.04.1955.

2. The District Medical &Health Officer,West Godavari District, Eluru has stated that on receipt of the allegations has been conducted by the Addl. DM&HO, West Godavari District Eluru. During the enquiry it is found that the date of birth of the above individual is 05.04.1955 only, but not 05.04.1958. Hence, the DM&HO has placed her under suspension pending disciplinary action. Aggrieving on the action of the DM&HO the individual has approached the APAT and filed OA No.2598/2015 and in turn the Hon'ble Tribunal has squashed the suspension orders and issued directions to continue the service pending final orders of the APAT.

3. The District Medical &Health Officer,West Godavari District, Eluru has not implemented the above APAT orders and he has appealed the APAT orders in Hon'ble High Court. The Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh in WPMP No.29722/2015 in WP No.22995/2015 has suspended the interim directions of Hon'ble APAT and issued directions to conduct and complete the enquiry against the individual within three months and based upon the findings the order of suspension shall be appropriately reviewed.

P.T.O.

4. Accordingly the District Medical &Health Officer,West Godavari District, Eluru appointed Addl. DM&HO (A&L), West Godavari District, Eluru to enquire the genuinity of date of birth certificate in respect of Smt. Md. Razia Begum, MPHA (F) whether it is 5.4.1958 or 5.4.1955. The Enquiry Officer conducted enquiry on 7.8.2015, in that enquiry Smt. Md. Razia Begam stated that her date of birth is 5.4.1958 and submitted original SSC marks memo as DOB proof. The District Medical &Health Officer,West Godavari District, Eluru has referred the matter to the Secretary, Government of Examinations, AP, Hyderabad to certify the date of birth of the above individual as per their records. The Addl. Joint Secretary, Government of Examination has certified the date of birth of the individual is 05.04.1955. Based on that, the Enquiry officer / Addl. DM&HO, West Godavari District, Eluru has submitted his enquiry report in which the allegations has been proved i.e., the date of birth has been tampered. As per the original date of birth of the individual is 05.04.1955.

5. At the time of appointment of the above individual as MPHA (F) the upper age limit for direct recruitment is 34 years. As on the date of appointment of the individual she has crossed 34 years of the age and she got the appointment by producing the false date of birth certificate as 05.04.1958 instead of 05.04.1955. Hence the DM&HO framed Articles charges on the individual vide Proceedings Rc.No.1988/E4/ 2014, dated 30.09.2015.The individual has submitted her explanation denying the charges and requested for her reinstatement. But the DM&HO has not satisfied on her explanation and issued orders vide proc. Rc. No. 1988/E4/2014, dated 17.10.2015 that the individual is deemed to have been retired from service on attaining the age of 58 years with effect from 30.04.2013.

6. After examination of the enquiry report it has been observed that charges against the Charged Officer is held proved, a provisional decision was taken to impose the punishment of 100% cut in pension permanently and withholding of entire Gratuity against Smt Md. Rajiya Begum, MPHA (F) PHC, Borramapalem, West Godavari District (now retired) under sub rule (1) of Rule 9 of A.P. Revised Pension Rules 1980 and accordingly a show cause notice was issued to the applicant to submit her explanation, if any, in the matter vide reference 4th read above.

7. In the reference 5th cited, the Commissioner of Health & Family Welfare,AP, has obtained explanation of Smt Md. Rajiya Begum, MPHA (F) PHC, Borramapalem, West Godavari District (now retired) and forwarded to Government to the Show Cause Notice. Government have examined the same and found that the same is not convincing since, the allegations has been proved against her i.e., the date of birth was been tampered by recording as 05-04-1958 whereas the original date of birth of the individual is 05.04.1955.

8. Therefore Government have decided to confirm the provisional decision to impose of a punishment of 100% cut in pension permanently and withholding of entire Gratuity against Smt Md. Rajiya Begum, MPHA (F) PHC, Borramapalem, West Godavari District (now retired) under sub rule (1) of Rule 9 of A.P. Revised Pension Rules 1980.In the reference 7th read above, the APPSC has given its Concurrence in the matter.

9. Accordingly, Government hereby order to impose the punishment of 100% cut in pension permanently and withholding of entire Gratuity against Smt Md. Rajiya Begum, MPHA (F) PHC, Borramapalem, West Godavari District (now retired) under sub rule (1) of Rule 9 of A.P. Revised Pension Rules 1980.

10. The Commissioner of Health & Family Welfare, A.P, Vijayawada shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. POONAM MALAKONDAIAH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Smt Md. Rajiya Begum, MPHA (F) PHC, Borramapalem, West Godavari District (now retired) through the Commissioner of Health & Family Welfare, A.P, Vijayawada.

The Commissioner of Health & Family Welfare, A.P, Vijayawada.

The Accountant General (A&E) Andhra Pradesh, Vijayawada
The Deputy Accountant General (Pension) Andhra Pradesh, Vijayawada
The District Treasury Officer, West Godavari District.
The Secretary,Andhra Pradesh Public Service Commission,New HOD Building, OPP: Indira Gandhi Municipal Stadium Complex,M.G.Road, Near R.T.O. Office, Vijayawada.
SF/SC

// FORWARDED :: BY ORDER//

SECTION OFFICER